



**Civil Service Commission Minutes  
Virtual Meeting Due to COVID-19  
Public Health Emergency  
Monday, May 16, 2022 at 3:00 P.M.**

**Members Present:** Sandra I. Kiely, Chairperson  
Ronald Fountain, Commissioner  
Lee Trotter, Commissioner  
Sandra Middleton, Secretary and Director of Human Resources

**Others Present:** Jeri Chaikin, Chief Administrative Officer  
William Ondrey Gruber, Director of Law  
Jeffrey DeMuth, Chief of Police  
Patrick Sweeney, Chief of Fire  
Tim Grafton, Police Sergeant

The meeting was called to order by Chairperson Kiely at 3:00 p.m.

**Approval of the April 20, 2021 Meeting Minutes**

Chairperson Kiely stated the first item was approval of the minutes. Sandy Middleton explained there were no minutes to approve because she was without an assistant at the time and the recordings are only kept for 90 days. There was discussion regarding what was done at the last meeting – removing people from the eligibility list similar to today. It was agreed that a summary of the last meeting would be done to document that the commission met.

**Designate Chair for 2022**

Chairperson Kiely asked if either of the other members wanted to serve as Chair. Chairperson Kiely said she would be happy to serve, but someone would need to nominate her. Commissioner Fountain moved to nominate her and Commissioner Trotter seconded the motion. All voted in favor.

**Recommendation to Remove Candidates from the Police Lateral Eligibility List**

Chairperson Kiely referred to the memo sent prior to the meeting. Sandy Middleton stated that she heard from a few candidates that withdrew their names, so the commission would not be voting on the entire list. The candidates that withdrew their names are Clifford Smith and Joseph Ostrowski, reducing the list to 17 for removal.

Chief DeMuth stated that of the 17, seven were interviewed or their qualifications were reviewed and they didn't believe they would be suitable candidates for the Shaker Heights Police Department. The rest have significant background information that would preclude them from being officers. Chief DeMuth stated that Sergeant Grafton would review that information, but requested that it be done in Executive Session and not be part of the normal public meeting. Law Director Bill Gruber stated that that would be permitted to discuss personnel.

**CITY OF SHAKER HEIGHTS**

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### **Executive Session**

Commissioner Trotter made a motion to go to Executive Session which was seconded by Chairperson Kiely.

Roll Call by Sandy Middleton

Ayes: Fountain, Trotter, Kiely

Nays: None

### **Removal of Candidates from the Police Lateral Eligibility List**

Commissioner Trotter made a motion to remove the following names which was seconded by Commissioner Fountain: Kevin Brown, Teresa Campbell, Darius Petraitis, Jon Bowers, Sean Cooper, Vincent Montague, Jr., Jalissee Jones, Perry Chronister, Trevon Richardson, Mark Flynn, Juan Goins, LaTasha Moore, Blake Rogers, James Wiles, Brandi Brown, Nicholas Deohring, and Sarah Taylor.

Roll Call by Chairperson Kiely

Ayes: Fountain, Trotter, Kiely

Nays: None

### **Future Meetings**

Sandy Middleton stated the commission needed to discuss how to meet in the future since they met via Zoom during the pandemic. Bill Gruber gave the background of the state and local rulings about virtual meetings. In March of this year, Council passed an ordinance to permanently allow for virtual, in-person, and hybrid meetings. The City is working on the technology for hybrid meetings. It should be permitted for the public to attend virtually when feasible. The commission will need to decide if it will allow members to attend virtually as well as anyone that wanted to appeal or come before the committee.

The council committees have all decided to meet virtually at all meetings except about four times a year to meet in person. The ABR, the Board of Zoning Appeals, Planning Commission, and the Board of Appeals have all decided to meet in person, but to allow attendance virtually by members, as long as they're on video. They're allowing applicants and appellants to appear virtually as long as they take the risk that if they can't get the technology to work, the city can continue with its meeting or they may have to postpone and reschedule an appellant or applicant. The council and Mayor asked that everybody look at this and make a decision now for going forward, but then evaluate it again in about six months. So, if you decide solely virtual meetings right now, you could always change your mind at any point in the future.

There was discussion about students being able to attend virtually. Chairperson Kiely stated that she would be fine either way due to proximity. Commissioner Fountain stated he preferred in-person because they needed the ability to have effective conversation. Commissioner Trotter stated he did not have a preference. Jeri Chaikin stated that most committees did not have the physical arrangements yet for hybrid meetings outside of the Council Chambers, but due to the size, the commission could host it there and permit attendance virtually. The microphones for that are on order for mid-summer.

Sandy Middleton stated that for the next meeting, both Chiefs have something to bring before the commission. Chief DeMuth stated they wanted to add conditions of lateral entry testing to the Civil

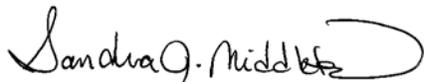
Service rules. There are 26 names remaining on the list, but good candidates may have been employed elsewhere, or may not be good candidates, so they should be through the list by the end of summer. Chairperson Kiely asked the Law Director about the timeframe for reviewing the rules. Bill Gruber stated they will work within any set deadline. Chairperson Kiely stated they may want to meet in person for that meeting. Any changes will require two readings.

Sandy Middleton stated the Fire Chief has some things to address, so they could standardize a monthly meeting, but when they go to the Civil Service rules, the two readings could be a week apart. Bill Gruber clarified that the changes did not have to happen all at once. Chairperson Kiely stated they could review the timely amendments while reviewing the other proposed changes. Bill Gruber stated, for example, that there are three different sections regarding how to handle an eligibility list.

Chief Sweeney stated the Fire Department had 10 new members of the department with a swearing in ceremony coming up on Friday. They also received a retirement notice for a Fire Lieutenant and that list recently expired around March 20, 2022. There are still some good candidates on that list and he wanted to discuss possibly extending the list so a promotion could be made off of that list. A few additional Lieutenants that will be retiring in 2024. Bill Gruber stated that the rules are not clear whether or not you can activate it after it is expired, but currently it can be extended if the list is still active. That will be up to the commission and the commission can clarify it for the future. Chairperson Kiely asked if they were permitted to vote on that during this meeting. Sandy Middleton stated advance notice is usually given to memorialize what will be discussed at the meeting.

Chairperson Kiely stated there could be two item on the agenda for the next meeting – considering the extension of the expired list for Fire and reviewing the rules regarding lateral transfers. Both commissioners agreed to that. Chairperson Kiely recommended a Doodle poll and Sandy Middleton agreed to that. The next meeting will be held via Zoom.

Chairperson Kiely adjourned the meeting at 4:00 p.m.



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Sandra Middleton, Secretary  
Civil Service Commission